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05/25/00
Jc840 U.S. PTO

Practitioner's Docket No. 701039-47875-C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Jc530 U.S. PTO
09/579420
05/25/00

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of
Inventor(s): Michael KLAGSBRUN; Shay SOKER

WARNING: 37 C.F.R. § 1.41(a)(1) points out:

“(a) A patent is applied for in the name or names of the actual inventor or inventors.

(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors.”

For (title): PEPTIDE ANTAGONISTS OF VASCULAR ENDOTHELIAL GROWTH FACTOR

CERTIFICATION UNDER 37 C.F.R. 1.10*

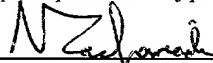
(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 25 May, 2000, in an envelope as “Express Mail Post Office to Addressee,” mailing Label Number EL361721013US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Nicholas A. Zachariades

(type or print name of person mailing paper)



Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by “Express Mail” **must** have the number of the “Express Mail” mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
“Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition.” Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

1. Type of Application

This new application is for a(n)

(check one applicable item below)

- ☒ Original (nonprovisional)
☐ Design
☐ Plant

WARNING: Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. 371(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.

WARNING: Do not use this transmittal for the filing of a provisional application.

NOTE: If one of the following 3 items apply, then complete and attach **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED** and a **NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION**.

- ☐ Divisional.
☒ Continuation.
☐ Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. 112. Each prior application must also be:

(i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America; or

(ii) Complete as set forth in § 1.51(b); or

(iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or

(iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(l) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. 120, 121

or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. 120, 121 or 365(c). (35 U.S.C. 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

WARNING: When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application **must** be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).

☒ The new application being transmitted claims the benefit of prior U.S. application(s).
Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE
BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed

A. Required for Filing Date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

36 Pages of Specification
2 Pages of Claims
9 Sheets of Drawing

WARNING: **DO NOT** submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. 1.84, see Notice of March 9, 1988. (1990 O.G. 57-62).

NOTE: "Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top of the page. . ." 37 C.F.R. § 1.84(c)).

(complete the following, if applicable)

☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).

☐ Formal
☒ Informal

B. Other Papers Enclosed

 Pages of declaration and power of attorney
1 Pages of Abstract
4 Other (Sequence Listing)

4. Additional Papers Enclosed

- ☐ Amendment to claims
 - ☐ Cancel in this applications claims _____ before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
 - ☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)
- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement (37 C.F.R. § 1.98)
- ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other

5. Declaration or Oath (including power of attorney)

NOTE: *A newly executed declaration is not required in a continuation or divisional application provided the prior nonprovisional application contained a declaration as required, the application being filed is by all or fewer than all the inventors named in the prior application, there is no new matter in the application being filed, and a copy of the executed declaration filed in the prior application (showing the signature or an indication thereon that it was signed) is submitted. The copy must be accompanied by a statement requesting deletion of the names of person(s) who are not inventors of the application being filed. If the declaration in the prior application was filed under § 1.47 then a copy of that declaration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning person under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently executed declaration must be filed. See 37 C.F.R. § 1.63(d)(1)-(3).*

NOTE: *A declaration filed to complete an application must be executed, identify the specification to which it is directed, identify each inventor by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and the residence, post office address and country of citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 C.F.R. § 1.63(a)(1)-(4).*

☐ Enclosed

Executed by

(check all applicable boxes)

- ☐ inventor(s).
- ☐ legal representative of inventor(s). 37 C.F.R. § 1.42 or 1.43.
- ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.

☒ Not Enclosed.

NOTE: *Where the filing is a completion in the U.S. of an International Application, or where the completion of the U.S. application contains subject matter in addition to the International Application, the application may be treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.*

☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of *all* the above named inventor(s).

(The declaration or oath, along with the surcharge required by 37 C.F.R. § 1.16(e), can be filed subsequently).

☐ Showing that the filing is authorized.
(not required unless called into question. 37 C.F.R. § 1.41(d))

6. Inventorship Statement

WARNING: *If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.*

The inventorship for all the claims in this application are:

☐ The same.

or

☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

7. Language

NOTE: *An application including a signed oath or declaration may be filed in a language other than English. An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).*

☒ English

☐ Non-English

☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).

8. Assignment

☐ An assignment of the invention to Children's Medical Center Corporation

- ☐ is attached. A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.
- ☒ will follow.

NOTE: "If an assignment is submitted with a new application, send two separate letters—one for the application and one for the assignment" Notice of May 4, 1990 (1114 O.G. 77-78).

WARNING: A newly executed "STATEMENT UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation-in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.

9. Certified Copy

Certified copy(ies) of application(s)

Country	Appln. no.	Filed
Country	Appln. no.	Filed
Country	Appln. no.	Filed

from which priority is claimed

- ☐ is (are) attached.
- ☐ will follow.

NOTE: The foreign application forming the basis for the claim for priority must be referred to in the oath or declaration. 37 C.F.R. § 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates. If any parent U.S. application or International Application from which this application claims benefit under 35 U.S.C. 120 is itself entitled to priority from a prior foreign application, then complete item 18 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

10. Fee Calculation (37 C.F.R. § 1.16)

A. ☒ Regular application

CLAIMS AS FILED

Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. § 1.16(a)
<hr/>					
Total Claims (37 C.F.R. § 1.16(c))		- 20 =	x	\$ 18.00	
<hr/>					
Independent Claims (37 C.F.R. § 1.16(b))		- 3 =	x	\$ 78.00	
<hr/>					
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))			+	\$260.00	

- ☐ Amendment cancelling extra claims is enclosed.
☐ Amendment deleting multiple-dependencies is enclosed.
☐ Fee for extra claims is not being paid at this time.

NOTE: *If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 C.F.R. § 1.16(d).*

Filing Fee Calculation \$ _____

- B.** ☐ Design application
(\$310.00—37 C.F.R. § 1.16(f))

Filing Fee Calculation \$ _____

- C.** ☐ Plant application
(\$480.00—37 C.F.R. § 1.16(g))

Filing Fee Calculation \$ _____

11. Small Entity Statement(s)

- ☐ Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 is (are) attached.

WARNING: *"Status as a small entity must be specifically established in each application or patent in which the status is available and desired. Status as a small entity in one application or patent does not affect any other application or patent, including applications or patents which are directly or indirectly dependent upon the application or patent in which the status has been established. The refiling of an application under § 1.53 as a continuation, division, or continuation-in-part (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application requires a new determination as to continued entitlement to small entity status for the continuing or reissue application. A nonprovisional application claiming benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) of a prior application, or a reissue application may rely on a statement filed in the prior application or in the patent if the nonprovisional application or the reissue application includes a reference to the statement in the prior application or in the patent or includes a copy of the statement in the prior application or in the patent and status as a small entity is still proper and desired. The payment of the small entity basic statutory filing fee will be treated as such a reference for purposes of this section." 37 C.F.R. § 1.28(a)(2).*

(complete the following, if applicable)

- ☐ Status as a small entity was claimed in prior application _____/_____, filed on _____ from which benefit is being claimed for this application under:

35 U.S.C. § ☐ 119(e),
☐ 120,
☐ 121,
☐ 365(c),

and which status as a small entity is still proper and desired.

☐ A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above) \$ _____

NOTE: Any excess of the full fee paid will be refunded if a small entity status is established refund request are filed within 2 months of the date of timely payment of a full fee. The two-month period is not extendable under § 1.136. 37 C.F.R. § 1.28(a).

12. Request for International-Type Search (37 C.F.R. § 1.104(d))

(complete, if applicable)

☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made at This Time

☒ Not Enclosed

☒ No filing fee is to be paid at this time.
(This and the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.)

☐ Enclosed

☐ Filing fee \$ _____

☐ Recording assignment
(\$40.00; 37 C.F.R. § 1.21(h))
(See attached "COVER SHEET FOR
ASSIGNMENT ACCOMPANYING NEW
APPLICATION.") \$ _____

☐ Petition fee for filing by other
than all the inventors or person
on behalf of the inventor where
inventor refused to sign or cannot
be reached
(\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i)) \$ _____

☐ For processing an application with a
specification in a non-English language
(\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k)) \$ _____

☐ Processing and retention fee
(\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l)) \$ _____

☐ Fee for international-type search report

(\$40.00; 37 C.F.R. § 1.21(e))

\$ _____

NOTE: 37 C.F.R. § 1.21(l) establishes a fee for processing and retaining any application that is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as the changes to 37 C.F.R. § 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee must be paid, or the processing and retention fee of § 1.21(l) must be paid, within 1 year from notification under § 53(f).

Total Fees Enclosed

\$ _____

14. Method of Payment of Fees

☐ Check in the amount of \$ _____.

☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

15. Authorization to Charge Additional Fees

WARNING: *If no fees are to be paid on filing, the following items should not be completed.*

WARNING: *Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.*

☐ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. _____.

☐ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☐ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

☐ 37 C.F.R. § 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a

petition for an extension of time under this paragraph for its timely submission.” 37 C.F.R. § 1.136(a)(3).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b)).

NOTE: 37 C.F.R. § 1.28(b) requires “Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . issue fee.” From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as “other than a small entity” and (b) no notification is required if the change is to another small entity.

16. Instructions as to Overpayment

NOTE: “. . . Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account.” 37 C.F.R. § 1.26(a).

☐ Credit Account No. ____.

☐ Refund


SIGNATURE OF PRACTITIONER

Reg. No. 34,235

David S. Resnick

Tel. No.: (617) 345-6057

NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110

Customer No.: _____

☒ **Incorporation by reference of added pages**

(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED)

☒ Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added 5

☐ Plus Added Pages for Papers Referred to in Item 4 Above

Number of pages added _____

☐ Plus added pages deleting names of inventor(s) named on prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.

Number of pages added _____

☐ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added _____

☐ **Statement Where No Further Pages Added**

(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item)

☐ This transmittal ends with this page.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION(S) CLAIMED**

NOTE: See 37 C.F.R. § 1.78.

17. Relate Back

WARNING: *If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. 120, 121 or 365(c). (35 U.S.C. 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.*

(complete the following, if applicable)

☐ Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. 119(e)

NOTE: *"Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number)." 37 C.F.R. § 1.78(a)(4).*

☐ "This application claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

_____ / _____	_____ "
_____ / _____	_____ "
_____ / _____	_____ "

B. 35 U.S.C. 120, 121 and 365(c)

NOTE: *"Except for a continued prosecution application filed under § 1.53(d), any nonprovisional application claiming the benefit of one or more prior filed copending nonprovisional applications or international applications designating the United States of America must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior application, identifying it by application number (consisting of the series code and serial number) or international application number and international filing date and indicating the relationship of the applications. . . . Cross-references to other related applications may be made when appropriate." (See § 1.14(a)). 37 C.F.R. § 1.78(a)(2).*

☒ "This application is a

☒ continuation

☐ continuation-in-part

☐ divisional

of copending application(s)

☐ application number 0 / _____ filed on _____”

☒ International Application PCT/US98/26103 filed on 9 December 1998
and which designated the U.S.”

NOTE: The proper reference to a prior filed PCT application that entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application that designated the U.S.

NOTE: (1) Where the application being transmitted adds subject matter to the International Application, then the filing can be as a continuation-in-part or (2) if it is desired to do so for other reasons then the filing can be as a continuation.

NOTE: The deadline for entering the national phase in the U.S. for an international application was clarified in the Notice of April 28, 1987 (1079 O.G. 32 to 46) as follows:

“The Patent and Trademark Office considers the International application to be pending until the 22nd month from the priority date if the United States has been designated and no Demand for International Preliminary Examination has been filed prior to the expiration of the 19th month from the priority date and until the 32nd month from the priority date if a Demand for International Preliminary Examination which elected the United States of America has been filed prior to the expiration of the 19th month from the priority date, provided that a copy of the international application has been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively. If a copy of the international application has not been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively, the international application becomes abandoned as to the United States 20 or 30 months from the priority date respectively. These periods have been placed in the rules as paragraph (h) of § 1.494 and paragraph (i) of § 1.495. A continuing application under 35 U.S.C. 365(c) and 120 may be filed anytime during the pendency of the international application.”

☐ “The nonprovisional application designated above, namely application
PCT/US98/26103, filed 9 December 1998, claims the
benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

<u>60 /069,155</u>	<u>9 December 1997</u> ”
<u>60 /069,687</u>	<u>12 December 1997</u> ”
<u>/</u>	<u>_____</u> ”

☒ Where more than one reference is made above please combine all references into one sentence.

18. Relate Back—35 U.S.C. 119 Priority Claim for Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

Country	Appln. no.	Filed
The certified copy(ies) has (have)		
<input type="checkbox"/> been filed on _____, in prior application 0 / _____, which was filed on _____.		
<input type="checkbox"/> is (are) attached.		

WARNING: *The certified copy of the priority application that may have been communicated to the PTO by the International Bureau may not be relied on without any need to file a certified copy of the priority application in the continuing application. This is so because the certified copy of the priority application communicated by the International Bureau is placed in a folder and is not assigned a U.S. serial number unless the national stage is entered. Such folders are disposed of if the national stage is not entered. Therefore, such certified copies may not be available if needed later in the prosecution of a continuing application. An alternative would be to physically remove the priority documents from the folders and transfer them to the continuing application. The resources required to request transfer, retrieve the folders, make suitable record notations, transfer the certified copies, enter and make a record of such copies in the Continuing Application are substantial. Accordingly, the priority documents in folders of international applications that have not entered the national stage may not be relied on. Notice of April 28, 1987 (1079 O.G. 32 to 46).*

19. Maintenance of Copendency of Prior Application

NOTE: *The PTO finds it useful if a copy of the petition filed in the prior application extending the term for response is filed with the papers constituting the filing of the continuation application. Notice of November 5, 1985 (1060 O.G. 27).*

A. ☐ Extension of time in prior application

*(This item **must** be completed and the papers filed in the prior application, if the period set in the prior application has run.)*

☐ A petition, fee and response extends the term in the pending **prior** application until _____

☐ A **copy** of the petition filed in prior application is attached.

B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

☐ A conditional petition for extension of time is being filed in the pending **prior** application.

☐ A **copy** of the conditional petition filed in the prior application is attached.

20. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

(complete applicable item (a), (b) and/or (c) below)

- (a) ☐ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are

☐ the same.

- ☐ less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:

(type name(s) of inventor(s) to be deleted)

- (b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are

☐ the same.

- ☐ the following additional inventor(s) have been added:

(type name(s) of inventor(s) to be deleted)

- (c) ☐ The inventorship for all the claims in this application are

☐ the same.

- ☐ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made

☐ is submitted.

☐ will be submitted.

21. Abandonment of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

NOTE: According to the Notice of May 13, 1983 (103, TMOG 6-7), the filing of a continuation or continuation-in-part application is a proper response with respect to a petition for extension of time or a petition to revive and should include the express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application.

(Added Page for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed)

22. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

WARNING: *"The claims of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and (2) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds of art of record in the next Office action if they had been entered in the earlier application." MPEP, § 706.07(b), 6th ed., rev.2.*

NOTE: *Where it is possible that the claims on file will give rise to a first action final for this continuation application and for some reason an amendment cannot be filed promptly (e.g., experimental data is being gathered) it may be desirable to file a petition for suspension of prosecution for the time necessary.*

(check the next item, if applicable)

- ☐ There is provided herewith a Petition To Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)

23. Small Entity (37 CFR § 1.28(a))

- ☐ Applicant has established small entity status by the filing of a statement in parent application / _____ on _____.

- ☐ A copy of the statement previously filed is included.

WARNING: *See 37 CFR § 1.28(a).*

24. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

- ☐ A notification of the filing of this
(check one of the following)

- ☐ continuation

- ☐ continuation-in-part

- ☐ divisional

is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Docket No. 1039/47875-PCT
Express Mail Label: EL361721013US

PEPTIDE ANTAGONISTS OF VASCULAR ENDOTHELIAL GROWTH FACTOR

STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH

The work described herein was supported, in part, by National Institute of Health grants CA37392 and CA45548. The U.S. Government has certain rights to the invention.

5

FIELD OF THE INVENTION

The present invention relates to vascular endothelial growth factor (VEGF). More particularly, the invention relates to antagonists of VEGF and use of those antagonists in the treatment of disorders that are associated with VEGF.

10

BACKGROUND OF THE INVENTION

Blood vessels are the means by which oxygen and nutrients are supplied to living tissues and waste products are removed from living tissue. Angiogenesis refers to the process by which new blood vessels are formed. See, for example, the review by Folkman and Shing, *J. Biol. Chem.* 267, 10931-10934 (1992), Dvorak, et al., *J Exp. Med.*, 174, 1275-1278 (1991). Thus, where appropriate, angiogenesis is a critical biological process. It is essential in reproduction, development and wound repair. However, inappropriate angiogenesis can have severe negative consequences. For example, it is only after many solid tumors are vascularized as a result of angiogenesis that the tumors have a sufficient supply of oxygen and nutrients that permit it to grow rapidly and metastasize. Because maintaining the rate of angiogenesis in its proper equilibrium is so critical to a range of functions, it must be carefully regulated in order to maintain health. The angiogenesis process is believed to begin with the degradation of the basement membrane by proteases secreted from endothelial cells (EC) activated by mitogens such as vascular endothelial growth factor (VEGF) and basic fibroblast growth factor (bFGF). The cells migrate and proliferate, leading to the formation of

solid endothelial cell sprouts into the stromal space, then, vascular loops are formed and capillary tubes develop with formation of tight junctions and deposition of new basement membrane.

5 In adults, the proliferation rate of endothelial cells is typically low compared to other cell types in the body. The turnover time of these cells can exceed one thousand days. Physiological exceptions in which angiogenesis results in rapid proliferation typically occurs under tight regulation, such as found in the female reproduction system and during wound healing.

10 The rate of angiogenesis involves a change in the local equilibrium between positive and negative regulators of the growth of microvessels. The therapeutic implications of angiogenic growth factors were first described by Folkman and colleagues over two decades ago (Folkman, *N. Engl. J. Med.*, 285:1182-1186 (1971)). Abnormal angiogenesis occurs when the body loses at least some control of angiogenesis, resulting in either excessive or insufficient blood vessel growth. For
15 instance, conditions such as ulcers, strokes, and heart attacks may result from the absence of angiogenesis normally required for natural healing. In contrast, excessive blood vessel proliferation can result in tumor growth, tumor spread, blindness, psoriasis and rheumatoid arthritis.

20 Thus, there are instances where a greater degree of angiogenesis is desirable-- increasing blood circulation, wound healing, and ulcer healing. For example, recent investigations have established the feasibility of using recombinant angiogenic growth factors, such as fibroblast growth factor (FGF) family (Yanagisawa-Miwa, et al., *Science*, 257:1401-1403 (1992) and Baffour, et al., *J Vasc Surg*, 16:181-91 (1992)), endothelial cell growth factor (ECGF)(Pu, et al., *J Surg Res*, 54:575-83 (1993)), and
25 more recently, vascular endothelial growth factor (VEGF) to expedite and/or augment collateral artery development in animal models of myocardial and hindlimb ischemia (Takeshita, et al., *Circulation*, 90:228-234 (1994) and Takeshita, et al., *J Clin Invest*, 93:662-70 (1994)).

30 Conversely, there are instances, where inhibition of angiogenesis is desirable. For example, many diseases are driven by persistent unregulated angiogenesis, also sometimes referred to as "neovascularization." In arthritis, new capillary blood

vessels invade the joint and destroy cartilage. In diabetes, new capillaries invade the vitreous, bleed, and cause blindness. Ocular neovascularization is the most common cause of blindness. Tumor growth and metastasis are angiogenesis-dependent. A tumor must continuously stimulate the growth of new capillary blood vessels for the
5 tumor itself to grow.

There is mounting evidence that VEGF may be a major regulator of angiogenesis (reviewed in Ferrara, et al., *Endocr. Rev.*, 13, 18-32 (1992); Klagsbrun, et al., *Curr. Biol.*, 3, 699-702 (1993); Klagsbrun, et al., Ferrara, et al., *Biochem. Biophys. Res. Commun.*, 161, 851-858 (1989)). VEGF was initially purified from the
10 conditioned media of folliculostellate cells (Ferrara, et al., *Biochem. Biophys. Res. Commun.*, 161, 851-858 (1989)) and from a variety of tumor cell lines (Myoken, et al., *Proc. Natl. Acad. Sci. USA*, 88:5819-5823 (1991); Plouet, et al., *EMBO. J.*, 8:3801-3806 (1991)). VEGF was found to be identical to vascular permeability factor, a regulator of blood vessel permeability that was purified from the conditioned medium
15 of U937 cells at the same time (Keck, et al., *Science*, 246:1309-1312 (1989)). VEGF is a specific mitogen for endothelial cells (EC) *in vitro* and a potent angiogenic factor *in vivo*. The expression of VEGF is up-regulated in tissue undergoing vascularization during embryogenesis and the female reproductive cycle (Brier, et al., *Development*, 114:521-532 (1992); Shweiki, et al., *J. Clin. Invest.*, 91:2235-2243 (1993)). High
20 levels of VEGF are expressed in various types of tumors, but not in normal tissue, in response to tumor-induced hypoxia (Shweiki, et al., *Nature* 359:843-846 (1992); Dvorak et al., *J. Exp. Med.*, 174:1275-1278 (1991); Plate, et al., *Cancer Res.*, 53:5822-5827; Ikea, et al., *J. Biol. Chem.*, 270:19761-19766 (1986)). Treatment of tumors with monoclonal antibodies directed against VEGF resulted in a dramatic reduction in
25 tumor mass due to the suppression of tumor angiogenesis (Kim, et al., *Nature*, 382:841-844 (1993)). VEGF appears to play a principle role in many pathological states and processes related to neovascularization. Regulation of VEGF expression in affected tissues could therefore be key in treatment or prevention of VEGF induced neovascularization/angiogenesis.

30 VEGF is a secreted 40-45K homodimer (Tischer E. et. al., *J. Biol. Chem.* 266: 11947-11954 (1991). It is a member of an expanding family that includes placenta-

derived growth factor (PIGF), VEGF-B, VEGF-C, VEGF-D and VEGF-E (Olofsson et al., *Proc. Natl. Acad. Sci. USA* 93:2576-2581 (1996), Joukov et al., *EMBO J.* 15:290-298 (1996), Achen et al., *Proc. Natl. Acad. Sci. USA* 95:548-553 (1998), Ogawa et al., *J. Biol. Chem.* 273: 31273-31282 (1998)). VEGF exists in a number of

5 different isoforms that are produced by alternative splicing from a single gene containing eight exons (Ferrara, et al., *Endocr. Rev.*, 13:18-32 (1992); Tischer, et al., *J. Biol. Chem.*, 806:11947-11954 (1991); Ferrara, et al., *Trends Cardio Med.*, 3:244-250 (1993); Polterak, et al., *J. Biol. Chem.*, 272:7151-7158 (1997)). Human VEGF isoforms consists of monomers of 121, 145, 165, 189, and 206 amino acids, each

10 capable of making an active homodimer (Polterak et al., *J. Biol. Chem.*, 272:7151-7158 (1997); Houck, et al., *Mol. Endocrinol.*, 8:1806-1814 (1991)). The VEGF₁₂₁ and VEGF₁₆₅ isoforms are the most abundant. VEGF₁₂₁ is the only VEGF isoforms that does not bind to heparin and is totally secreted into the culture medium. VEGF₁₆₅ is functionally different than VEGF₁₂₁ in that it binds to heparin and cell surface heparin

15 sulfate proteoglycans (HSPGs) and is only partially released into the culture medium (Houck, et al., *J. Biol. Chem.*, 247:28031-28037 (1992); Park, et al., *Mol. Biol. Chem.*, 4:1317-1326 (1993)). The remaining isoforms are entirely associated with cell surface and extracellular matrix HSPGs (Houck, et al., *J. Biol. Chem.*, 247:28031-28037 (1992); Park, et al., *Mol. Biol. Chem.*, 4:1317-1326 (1993)).

20 VEGF receptor tyrosine kinases, KDR/Flk-1 and/or Flt-1, are mostly expressed by EC (Terman, et al., *Biochem. Biophys. Res. Commun.*, 187:1579-1586 (1992); Shibuya, et al., *Oncogene*, 5:519-524 (1990); De Vries, et al., *Science*, 265:989-991 (1992); Gitay-Goran, et al., *J. Biol. Chem.*, 267:6003-6096 (1992); Jakeman, et al., *J. Clin. Invest.*, 89:244-253 (1992)). It appears that VEGF activities such as

25 mitogenicity, chemotaxis, and induction of morphological changes are mediated by KDR/Flk-1 but not Flt-1, even though both receptors undergo phosphorylation upon binding of VEGF (Millauer, et al., *Cell*, 72:835-846 (1993); Waltenberger, et al., *J. Biol. Chem.*, 269:26988-26995 (1994); Seetharam, et al., *Oncogene*, 10:135-147 (1995); Yoshida, et al., *Growth Factors*, 7:131-138 (1996)). Recently, Soker et al.,

30 identified a new VEGF receptor which is expressed on EC and various tumor-derived cell lines such as breast cancer-derived MDA-MB-231 (231) cells (Soker, et al., *J.*

Biol. Chem., 271:5761-5767 (1996)). This receptor requires the VEGF isoform to contain the portion encoded by exon 7. For example, although both VEGF₁₂₁ and VEGF₁₆₅R bind to KDR/Flk-1 and Flt-1, only VEGF₁₆₅ binds to the new receptor. Thus, this is an isoform-specific receptor and has been named the VEGF₁₆₅ receptor (VEGF₁₆₅R). It will also bind the 189 and 206 isoforms. In structure-function analysis, it was shown directly that VEGF₁₆₅ binds to VEGF₁₆₅R via its exon 7-encoded domain which is absent in VEGF₁₂₁ (Soker, et al., *J. Biol. Chem.*, 271:5761-5767 (1996)). However, the function of the receptor was unclear.

The current treatment of angiogenic diseases is inadequate. Agents which prevent continued angiogenesis, e.g. drugs (TNP-470), monoclonal antibodies, antisense nucleic acids and proteins (angiostatin and endostatin) are currently being tested. See, Battegay, *J. Mol. Med.*, 73, 333-346 (1995); Hanahan et al., *Cell*, 86, 353-364 (1996); Folkman, *N. Engl. J. Med.*, 333, 1757-1763 (1995). Although preliminary results with the antiangiogenic proteins are promising, they are relatively large in size and thus difficult to use and produce. Moreover, proteins are subject to enzymatic degradation. Thus, new agents that inhibit angiogenesis are needed. New antiangiogenic proteins or peptides that show improvement in size, ease of production, stability and/or potency would be desirable.

SUMMARY OF THE INVENTION

We have discovered that a portion of the seventh exon of VEGF₁₆₅ acts as an antagonist to all VEGF isoforms, which is surprising since not all forms of VEGF have exon 7. For example, we have prepared a glutathione *S-transferase* (GST) fusion protein containing a peptide corresponding to the 44 amino acids encoded by exon 7 and the first cysteine of the peptide encoded by exon 8 (amino acids 116-160 of VEGF₁₆₅ (SEQ ID NO: 1)). This fusion protein inhibited the binding of ¹²⁵I-VEGF₁₆₅ to receptors on human umbilical cord vein-derived EC (HUVEC) and on 231 cells. The inhibitory activity was localized to the C-terminal portion of the exon 7-encoded domain (amino acids 22-44). Furthermore, the fusion protein inhibited VEGF-induced proliferation of HUVEC. The fusion protein also inhibits VEGF₁₂₁-induced mitogenicity, which was an unexpected result considering that VEGF₁₂₁ does not

contain exon 7. Thus, the polypeptides of the present invention are antagonists against the major isoforms of VEGF and can be used to treat diseases and conditions associated with VEGF-induced neovascularization or angiogenesis.

In addition, while not wishing to be bound by theory, it is believed that VEGF is directly associated with a number of cancers expressing the VEGF₁₆₅R/NP-1 (Soker, et al., *Cell* 92, 735-745 (1998)), and that inhibition of VEGF binding to this receptor can be used to treat such cancers.

The present invention provides a polypeptide having a portion of SEQ ID NO:1 having VEGF antagonist activity as determined, for example, by the human umbilical vein endothelial cell (HUVEC) proliferation assay using VEGF₁₆₅ as set forth below in the Examples. Preferably, the portion has at least a 25% reduction in HUVEC proliferation, more preferably a 50% reduction, even more preferably a 75% reduction, most preferably a 95% reduction. Preferably, the portion has an even number of cysteine residues.

VEGF antagonist activity may also be determined by inhibition of binding of labeled VEGF₁₆₅ to VEGF₁₆₅R as disclosed in Soker et al., *J. Biol. Chem.* 271, 5761-5767 (1996)) and forth below in the Examples. Preferably, the portion inhibits binding by at least 25%, more preferably 50%, most preferably 75%.

The present invention further provides polypeptides comprising SEQ ID NO: 2 (CCKNTDSRCKARQLELNERTCRC) or a portion thereof having VEGF antagonist activity as determined, for example, by the human umbilical vein endothelial cell (HUVEC) proliferation assay using VEGF₁₆₅ as set forth below in the Examples. Preferably, the portion has at least a 25% reduction in HUVEC proliferation, more preferably a 50% reduction, even more preferably a 75% reduction, most preferably a 95% reduction. Preferably, the portion has an even number of cysteine residues.

One preferred polypeptide of the present invention has the structure of the following formula (I):



wherein X₁ is H, or any portion of amino acids 2-21 of SEQ ID NO: 1. For example, amino acid 3-21, 4-21, 5-21, 6-21, etc. of SEQ ID NO: 1. And X₂ is H or C, CR, RC or CRC. The polypeptides of formula (I) have VEGF antagonist activity as

determined, for example, by the human umbilical vein endothelial cell (HUVEC) proliferation assay using VEGF₁₆₅ as set forth below in the Examples. Preferably, the polypeptide has at least a 25% reduction in HUVEC proliferation, more preferably a 50% reduction, even more preferably a 75% reduction, most preferably a 95%
5 reduction. Preferably, the polypeptide has an even number of cysteine residues. The polypeptides of formula (I) include analogs.

"Analog" refers to a polypeptide differing from the sequence of one of the peptides of the invention but which still exhibits at least 50% of the VEGF antagonist activity of the polypeptide of SEQ ID NO: 2 in the human umbilical vein endothelial
10 cell (HUVEC) proliferation assay using VEGF₁₆₅ as set forth below in the Examples. Preferably, the analog exhibits 75% of the VEGF antagonist activity of the polypeptide of SEQ ID NO: 2, most preferably 95%. The differences are preferably conservative amino acid substitutions, in which an amino acid is replaced with another naturally occurring amino acid of similar character. For example, the following
15 substitutions are considered "conservative": Gly ↔ Ala; Val ↔ Ile; Asp ↔ Glu; Lys ↔ Arg; Asn ↔ Gln; and Phe ↔ Trp ↔ Tyr. Nonconservative changes are generally substitutions of one of the above amino acids with an amino acid from a different group (e.g., substituting Asn for Glu), or substituting Cys, Met, His, or Pro for any of the above amino acids.

20 In preferred forms, the polypeptides of the present invention are part of a fusion protein or conjugated to a moiety to enhance purification, increase stability and/or to provide a biological activity.

In another embodiment, the polypeptides of the present invention, either alone, or as part of a fusion protein, are used to target cells expressing the VEGF₁₆₅R-NP-1.
25 This targeting can be used for diagnostic as well as therapeutic applications. For example, for diagnostic purposes the polypeptide is radiolabeled and used to detect cells expressing the VEGF₁₆₅R-NP-1. We have discovered that expression of the receptor has a high correlation to disease state in a number of cancers, such as prostate and breast, particularly metastatic cancers. Accordingly, in a further embodiment, the
30 polypeptide can be used in a prognostic manner for particular cancers.

For therapeutic applications, the polypeptide can be used to deliver agents to cells expressing the VEGF₁₆₅R/NP-1. For example, the polypeptides can be used as carriers to deliver a desired chemical or cytotoxic moiety to the cells. The cytotoxic moiety may be a cytotoxic drug or an enzymatically active toxin of bacterial, fungal or plant origin, or an enzymatically active polypeptide chain or fragment ("A chain") of such a toxin. Enzymatically active toxins and fragments thereof are preferred and are exemplified by diphtheria toxin A fragment, non-binding active fragments of diphtheria toxin, exotoxin A (from *Pseudomonas aeruginosa*), ricin A chain, abrin A chain, modeccin A chain, alphasarcin, certain *Aleurites fordii* proteins, certain Dianthin proteins, *Phytolacca americana* proteins (PAP, PAPII and PAP-S), Momordica charantia inhibitor, curcin, crotin, *Saponaria officinalis* inhibitor, gelonin, mitogellin, restrictocin, phenomycin, and enomycin. Ricin A chain, *Pseudomonas aeruginosa* exotoxin A and PAP are preferred.

The invention further provides a method of treating a disease or disorder/condition associated with VEGF-induced neovascularization or angiogenesis. As used herein, the term "neovascularization" refers to the growth of blood vessels and capillaries. Diseases, disorders, or conditions, associated with VEGF-induced neovascularization or angiogenesis, include, but are not limited to retinal neovascularization, hemangiomas, solid tumor growth, leukemia, metastasis, psoriasis, neovascular glaucoma, diabetic retinopathy, rheumatoid arthritis, osteoarthritis, endometriosis, mucular degeneration and retinopathy of prematurity (ROP).

In the methods of the present invention, a therapeutic amount of a polypeptide of the invention is administered to a host, e.g., human or other mammal, having a disease or condition, associated with VEGF or having a tumor expressing VEGF₁₆₅R/NP-1. Methods for detecting the expression of VEGF₁₆₅R/NP-1 are set forth in Soker, et al., *Cell* 92:735-745 (1998).

The invention also provides a composition comprising an effective amount of a polypeptide of the invention in combination with a pharmaceutically acceptable carrier.

Other aspects of the invention are disclosed *infra*.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1. Cross-linking of ^{125}I -VEGF₁₆₅, ^{125}I -VEGF₁₂₁, and ^{125}I -GST-EX 7 to HUVEC. ^{125}I -VEGF₁₆₅ (5 ng/ml) (lane 1) or ^{125}I -VEGF₁₂₁ (10 ng/ml) (lane 2) or ^{125}I -GST-EX 7 (50 ng/ml) (lane 3) were bound to subconfluent cultures of HUVEC in 6-cm dishes. The binding was carried out in the presence of 1 ug/ml heparin. At the end of a 2-h incubation, each ^{125}I -VEGF isoform was chemically cross-linked to the cell surface. The cells were lysed and proteins were resolved by 6% SDS-PAGE. The polyacrylamide gel was dried and exposed to x-ray film.

Fig 2. HUVEC proliferation in response to VEGF₁₆₅ and VEGF₁₂₁ HUVEC were cultured in 96-well dishes (5,000 cell/well) for 24 h. Increasing amounts of VEGF₁₆₅ (closed circles) or VEGF₁₂₁ (open circles) were added to the medium, and the cells were incubated for 3 more days. DNA synthesis based on the incorporation of [3H] thymidine into HUVEC DNA was measured as described in the Examples. The results represent the average counts in three wells, and the standard deviations were determined.

Figs. 3A-3C. Inhibition of ^{125}I -VEGF₁₆₅ binding to HUVEC, MDA MB 231 cells, and PAE-KDR cells by GST-EX 7 + 8. ^{125}I -VEGF₁₆₅ (5 ng/ml) was bound to subconfluent cultures of HUVEC(3A), MDA MB 231 cells (3B), and PAE-KDR cells (3C) in 48-well dishes in the presence of increasing amounts of GST-Ex 7 + 8 (closed square) or control GST protein (open squares). At the end of a 2-h incubation, the cells were washed and lysed, and the cell-associated radioactivity was determined with a γ -counter. The counts obtained are expressed as the percentage of the counts obtained in the presence of PBS without addition of GST or fusion protein.

Fig. 4. GST-EX 7 + 8 fusion protein inhibits cross-linking of ^{125}I -VEGF₁₆₅ to VEGF₁₆₅R and to KDR Flk-1. ^{125}I -VEGF₁₆₅ (5 ng/ml) was bound to subconfluent cultures of HUVEC (lanes 1 and 2) and MDA-MB-231 cells (lanes 3 and 4) in 6-cm dishes. The binding was carried out in the presence (lanes 2 and 4) or the absence (lanes 1 and 3) of 15 ug/ml GST-Ex 7 + 8. Heparin (1 ug/ml) was added to each dish. At the end of a 2-h incubation, ^{125}I -VEGF₁₆₅ was chemically cross-linked to the cell surface. The cells were lysed, and proteins were resolved by 6% SDS-PAGE. The gel was dried and exposed to x-ray film.

Figs. 5A and 5B. Localization of a core inhibitory region within exon 7. GST-Ex 7 fusion proteins containing full-length exon 7-encoded domain or truncations at the N-terminal and C-terminal ends were prepared as described in the Examples. ^{125}I -VEGF₁₆₅ (5 ng/ml) was bound to subconfluent HUVEC cultures as described in Fig. 3, in the presence of increasing concentrations of the GST fusion proteins. At the end of a 2-h incubation, the cells were washed and lysed, and the cell-associated radioactivity was determined with a γ counter. The counts obtained are expressed as percentage of the counts obtained in the presence of PBS without fusion protein B, the amino acid sequences of VEGF exon 7 derivatives. These derivatives were prepared to contain the first cysteine residue of exon 8 at their C termini to keep an even number of cysteine residue.

Fig. 6. GST-Ex 7 + 8 fusion protein inhibits VEGF₁₆₅-stimulated HUVEC proliferation. HUVEC were cultured in 96-well dishes (5,000 cell/well) as in Fig. 2. Increasing concentrations of VEGF₁₆₅ (open circles), together with 15 $\mu\text{g}/\text{ml}$ GST-Ex 7 + 8 (closed circles) or 25 $\mu\text{g}/\text{ml}$ GST (squares), were added to the medium, and the cells were incubated for 4 more days. DNA synthesis was measured in HUVEC as described in Fig. 2. The results represent the average counts of three wells, and the standard deviations were determined.

Fig. 7. GST-Ex 7 + 8 fusion protein inhibits VEGF₁₆₅ and VEGF₁₂₁-stimulated HUVEC proliferation. Increasing concentration of VEGF₁₆₅ (circles) or VEGF₁₂₁ (square) with 15 $\mu\text{g}/\text{ml}$ GST-Ex 7 + 8 (closed symbols) or without GST-Ex 7 + 8 (open symbols) were added to HUVEC. and [^3H]thymidine incorporation into the DNA was measured as in Fig. 2. The results represent the average counts of three wells, and the standard deviations were determined.

Fig. 8. GST-Ex 7 + 8 fusion protein inhibits cross-linking of ^{125}I -VEGF₁₂₁ to KDR/Flk-1 of HUVEC. ^{125}I -VEGF₁₂₁ (20 ng/ml) was bound to subconfluent cultures of HUVEC in 6-cm dishes. The binding was carried out in the presence (lane 2) or the absence (lane 1) of 15 $\mu\text{g}/\text{ml}$ GST-Ex 7 + 8. Heparin (1 $\mu\text{g}/\text{ml}$) was added to each dish. At the end of a 2-h incubation, ^{125}I -VEGF was chemically cross-linked to the

cell surface. The cells were lysed, and proteins were resolved by 6% SDS-PAGE. The gel was dried and exposed to x-ray film.

DETAILED DESCRIPTION OF THE INVENTION

5 The present invention provides isolated polypeptides having VEGF antagonist activity, nucleic acids encoding peptides, pharmaceutical compositions comprising the polypeptides and nucleic acids and methods for treating diseases or disorders associated with VEGF, e.g., tumors that express VEGF₁₆₅R/NP-1 and VEGF induced angiogenesis. The polypeptides of the invention include polypeptides comprising a
10 portion of SEQ ID NO: 1 having VEGF antagonist activity, polypeptides comprising SEQ ID NO: 2 (CCKNTDSRCKARQLELNERTCRC) or a portion thereof having VEGF antagonist activity, and a polypeptide having the structure of formula (I), set forth above. The present invention further includes analogs and derivatives of these polypeptides having VEGF antagonist activity. The DNA sequence encoding exon 7
15 and exon 8 are set forth in the sequence listing as SEQ ID NOS: 17 and 18 respectively.

 VEGF antagonist activity can be determined using techniques known in the art. For example, VEGF antagonist activity can be determined by looking at a wild type VEGF activity and comparing the inhibition or reduction of such activity when the
20 antagonist polypeptide is used. The polypeptide of SEQ ID NO: 2 can be used as a standard. One can use any VEGF activity. For example, one can use the human umbilical vein endothelial cell (HUVEC) proliferation assay using VEGF₁₆₅ as set forth below in the Examples. Preferably, the portion has at least a 25% reduction in HUVEC proliferation, more preferably a 50% reduction, even more preferably a 75%
25 reduction, most preferably a 95% reduction. Preferably, the portion has an even number of cysteine residues.

 VEGF antagonist activity may also be determined by inhibition of binding of labeled VEGF₁₆₅ to VEGF₁₆₅R as disclosed in Soker et al., *J. Biol. Chem.* 271, 5761-5767 (1996)) and forth below in the Examples. Preferably, the portion inhibits binding
30 by at least 25%. more preferably 50%, most preferably 75%.

The ability of the VEGF antagonist polypeptides to influence angiogenesis can also be determined using a number of know *in vivo* and *in vitro* assays. Such assays are disclosed in Jain et al., *Nature Medicine* 3, 1203-1208(1997), the disclosure of which is herein incorporated by reference. For example, assays for the ability to inhibit angiogenesis *in vivo* include the chick chorioallantoic membrane assay and mouse, rat or rabbit corneal pocket assays. See, Polverini et al., 1991, *Methods Enzymol.* 198: 440-450. According the corneal pocket assays, a tumor of choice is implanted into the cornea of the test animal in the form of a corneal pocket. The potential angiogenesis inhibitor is applied to the corneal pocket and the corneal pocket is routinely examined for neovascularization.

As used herein, a "derivative" of a VEGF antagonist polypeptide is a polypeptide in which one or more physical, chemical, or biological properties has been altered. Such modifications include, but are not limited to: amino acid substitutions, modifications, additions or deletions; alterations in the pattern of lipidation, glycosylation or phosphorylation; reactions of free amino, carboxyl, or hydroxyl side groups of the amino acid residues present in the polypeptide with other organic and non-organic molecules; and other modifications, any of which may result in changes in primary, secondary or tertiary structure. Yet such a derivative will exhibit at least one of the aforementioned VEGF antagonist activities.

The polypeptides of the invention are preferably produced by recombinant methods. See the procedures disclosed in Example 1, which follows. A wide variety of molecular and biochemical methods are available for generating and expressing the polypeptides of the present invention; see e.g. the procedures disclosed in *Molecular Cloning, A Laboratory Manual* (2nd Ed., Sambrook, Fritsch and Maniatis, Cold Spring Harbor), *Current Protocols in Molecular Biology* (Eds. Ausubel, Brent, Kingston, More, Feidman, Smith and Stuhl, Greene Publ. Assoc., Wiley-Interscience, NY, N.Y. 1992) or other procedures that are otherwise known in the art. For example, the polypeptides of the invention may be obtained by chemical synthesis, expression in bacteria such as *E. coli* and eukaryotes such as yeast, baculovirus, or mammalian cell-based expression systems, etc., depending on the size, nature and quantity of the polypeptide.

The term "isolated" means that the polypeptide is removed from its original environment (e.g., the native VEGF molecule). For example, a naturally-occurring polynucleotides or polypeptides present in a living animal is not isolated, but the same polynucleotides or DNA or polypeptides, separated from some or all of the coexisting materials in the natural system, is isolated. Such polynucleotides could be part of a vector and/or such polynucleotides or polypeptides could be part of a composition, and still be isolated in that such vector or composition is not part of its natural environment.

Where it is desired to express a polypeptide of the invention any suitable system can be used. The general nature of suitable vectors, expression vectors and constructions therefor will be apparent to those skilled in the art.

Suitable expression vectors may be based on phages or plasmids, both of which are generally host-specific, although these can often be engineered for other hosts. Other suitable vectors include cosmids and retroviruses, and any other vehicles, which may or may not be specific for a given system. Control sequences, such as recognition, promoter, operator, inducer, terminator and other sequences essential and/or useful in the regulation of expression, will be readily apparent to those skilled in the art.

Correct preparation of nucleotide sequences may be confirmed, for example, by the method of Sanger et al. (*Proc. Natl. Acad. Sci. USA* 74:5463-7 (1977)).

A DNA fragment encoding the polypeptide of the invention, the receptor or fragment thereof, may readily be inserted into a suitable vector. Ideally, the receiving vector has suitable restriction sites for ease of insertion, but blunt-end ligation, for example, may also be used, although this may lead to uncertainty over reading frame and direction of insertion. In such an instance, it is a matter of course to test transformants for expression, 1 in 6 of which should have the correct reading frame. Suitable vectors may be selected as a matter of course by those skilled in the art according to the expression system desired.

By transforming a suitable organism or, preferably, eukaryotic cell line, such as HeLa, with the plasmid obtained, selecting the transformant with ampicillin or by other suitable means if required, and adding tryptophan or other suitable

promoter-inducer (such as indoleacrylic acid) if necessary, the desired polypeptide or protein may be expressed. The extent of expression may be analyzed by SDS polyacrylamide gel electrophoresis-SDS-PAGE (Lemelli, *Nature* 227:680-685 (1970)).

- 5 Suitable methods for growing and transforming cultures etc. are usefully illustrated in, for example, Maniatis (Molecular Cloning, A Laboratory Notebook, Maniatis et al. (eds.), Cold Spring Harbor Labs, N.Y. (1989)).

- Cultures useful for production of polypeptides or proteins may suitably be cultures of any living cells, and may vary from prokaryotic expression systems up to
10 eukaryotic expression systems. One preferred prokaryotic system is that of *E. coli*, owing to its ease of manipulation. However, it is also possible to use a higher system, such as a mammalian cell line, for expression of an eukaryotic protein. Currently preferred cell lines for transient expression are the HeLa and Cos cell lines. Other expression systems include the Chinese Hamster Ovary (CHO) cell line and the
15 baculovirus system.

- Other expression systems which may be employed include streptomycetes, for example, and yeasts, such as *Saccharomyces* spp., especially *S. cerevisiae*. Any system may be used as desired, generally depending on what is required by the operator. Suitable systems may also be used to amplify the genetic material, but it is
20 generally convenient to use *E. coli* for this purpose when only proliferation of the DNA is required.

- The polypeptides and proteins may be isolated from the fermentation or cell culture and purified using any of a variety of conventional methods including: liquid chromatography such as normal or reversed phase, using HPLC, FPLC and the like;
25 affinity chromatography (such as with inorganic ligands or monoclonal antibodies); size exclusion chromatography; immobilized metal chelate chromatography; gel electrophoresis; and the like. One of skill in the art may select the most appropriate isolation and purification techniques without departing from the scope of this invention.

- 30 The polypeptides may also be generated by any of several chemical techniques. For example, they may be prepared using the solid-phase synthetic

technique originally described by R. B. Merrifield, "Solid Phase Peptide Synthesis. I. The Synthesis Of A Tetrapeptide", J. Am. Chem. Soc., 83, pp. 2149-54 (1963), or they may be prepared by synthesis in solution. A summary of peptide synthesis techniques may be found in E. Gross & H. J. Meinhofer, 4 The Peptides: Analysis, Synthesis,
5 Biology; Modern Techniques Of Peptide And Amino Acid Analysis, John Wiley & Sons, (1981) and M. Bodanszky, Principles Of Peptide Synthesis, Springer-Verlag (1984).

As discussed above, one method of treatment involves attachment of a suitable toxin to the peptides which then target the area of the tumor. Such toxins are well
10 known in the art, and may comprise toxic radioisotopes, heavy metals, enzymes and complement activators, as well as such natural toxins as ricin which are capable of acting at the level of only one or two molecules per cell. It may also be possible to use such a technique to deliver localized doses of suitable physiologically active compounds, which may be used, for example, to treat cancers.

15 Where the present invention provides for the administration of, for example, peptides to a patient, then this may be by any suitable route. If the tumor is still thought to be, or diagnosed as, localized, then an appropriate method of administration may be by injection direct to the site. Administration may also be by injection, including subcutaneous, intramuscular, intravenous and intradermal injections.

20 Formulations may be any that are appropriate to the route of administration, and will be apparent to those skilled in the art. The formulations may contain a suitable carrier, such as saline, and may also comprise bulking agents, other medicinal preparations, adjuvants and any other suitable pharmaceutical ingredients. Catheters are another preferred mode of administration.

25 The term "effective amount" refers to an amount of VEGF antagonist polypeptide or nucleic acid encoding the polypeptide sufficient to exhibit a detectable therapeutic effect. The therapeutic effect may include, for example, without limitation, inhibiting the growth of undesired tissue or malignant cells, inhibiting inappropriate angiogenesis (neovascularization), limiting tissue damage caused by chronic
30 inflammation, inhibition of tumor cell growth, and the like. The precise effective amount for a subject will depend upon the subject's size and health, the nature and

severity of the condition to be treated, and the like. Thus, it is not possible to specify an exact effective amount in advance. However, the effective amount for a given situation can be determined by routine experimentation based on the information provided herein.

- 5 The term "pharmaceutically acceptable" refers to compounds and compositions which may be administered to mammals without undue toxicity. Exemplary pharmaceutically acceptable salts include mineral acid salts such as hydrochlorides, hydrobromides, phosphates, sulfates, and the like; and the salts of organic acids such as acetates, propionates, malonates, benzoates, and the like.
- 10 The VEGF antagonist polypeptides are administered orally, topically, or by parenteral means, including subcutaneous and intramuscular injection, implantation of sustained release depots, intravenous injection, intranasal administration, and the like. Accordingly, VEGF antagonists may be administered as a pharmaceutical composition comprising a VEGF antagonist in combination with a pharmaceutically acceptable
- 15 carrier. Such compositions may be aqueous solutions, emulsions, creams, ointments, suspensions, gels, liposomal suspensions, and the like. Suitable carriers (excipients) include water, saline, Ringer's solution, dextrose solution, and solutions of ethanol, glucose, sucrose, dextran, mannose, mannitol, sorbitol, polyethylene glycol (PEG), phosphate, acetate, gelatin, collagen, Carbopol Registered TM , vegetable oils, and the
- 20 like. One may additionally include suitable preservatives, stabilizers, antioxidants, antimicrobials, and buffering agents, for example, BHA, BHT, citric acid, ascorbic acid, tetracycline, and the like. Cream or ointment bases useful in formulation include lanolin, Silvadene Registered TM (Marion), Aquaphor Registered TM (Duke Laboratories), and the like. Other topical formulations include aerosols, bandages, and
- 25 other wound dressings. Alternatively one may incorporate or encapsulate the VEGF antagonist in a suitable polymer matrix or membrane, thus providing a sustained-release delivery device suitable for implantation near the site to be treated locally. Other devices include indwelling catheters and devices such as the Alzet Registered TM minipump. Ophthalmic preparations may be formulated using commercially
- 30 available vehicles such as Sorbi-care Registered TM (Allergan), Neodecadron Registered TM (Merck. Sharp & Dohme), Lacrilube Registered TM , and the like, or

may employ topical preparations such as that described in U.S. Pat. No. 5,124,155, incorporated herein by reference. Further, one may provide a VEGF antagonist in solid form, especially as a lyophilized powder. Lyophilized formulations typically contain stabilizing and bulking agents, for example human serum albumin, sucrose,
5 mannitol, and the like. A thorough discussion of pharmaceutically acceptable excipients is available in Remington's Pharmaceutical Sciences (Mack Pub. Co.).

The antagonist polypeptides of the present invention can be used topically or intravascularly. For topical applications the formulation would be applied directly at a rate of about 10 ng to about 1 mg/cm²/day. For intravenous applications, the inhibitor
10 is used at a rate of about 1 mg to about 10 mg/kg/day of body weight. For internal use, the formulation may be released directly into the region to be treated either from implanted slow release polymeric material or from slow release pumps or repeated injections. The release rate in either case is about 100 ng to about 100 mg/day/cm³.

The VEGF antagonist polypeptides of the invention can be combined with a
15 therapeutically effective amount of another molecule which negatively regulates angiogenesis which may be, but is not limited to, TNP-470, platelet factor 4, thrombospondin-1, tissue inhibitors of metalloproteases (TIMP1 and TIMP2), prolactin (16-Kd fragment), angiostatin (38-Kd fragment of plasminogen), endostatin, bFGF soluble receptor, transforming growth factor β , interferon alfa, soluble KDR and FLT-
20 1 receptors and placental proliferin-related protein.

A VEGF antagonist polypeptide of the invention may also be combined with chemotherapeutic agents.

Diseases, disorders, or conditions, associated with abnormal angiogenesis or neovascularization, and can be treated with a therapeutic compound of the invention
25 include, but are not limited to retinal neovascularization, tumor growth, hemangioma, solid tumors, leukemia, metastasis, psoriasis, neovascular glaucoma, diabetic retinopathy, arthritis, endometriosis, and retinopathy of prematurity (ROP).

Nucleic acid (e.g., DNA) encoding a VEGF antagonist polypeptide of the invention can be delivered to a host by any method known to those of skill in the art to
30 treat disorders associated with VEGF. A preferred embodiment of the present invention relates to methods of inhibiting angiogenesis of solid tumors to prevent

further tumor growth and eventual metastasis. To this end, any solid tumor or the region surrounding the tumor accessible to gene transfer will be a target for the disclosed therapeutic applications. A DNA encoding a VEGF antagonist polypeptide of the invention or a derivative or analog thereof, housed within a recombinant viral-
5 or non-viral-based gene transfer system may be directed to target cells within proximity of the tumor by any number of procedures known in the art, including but not limited to (a) surgical procedures coupled with administration of an effective amount of the DNA to the site in and around the tumor (involving initial removal of a portion or the entire tumor, if possible); (b) injection of the gene transfer vehicle
10 directly into or adjacent to the site of the tumor; and, (c) localized or systemic delivery of the gene transfer vector and/or gene product using techniques known in the art.

Therefore, any solid tumor which contains VEGF or VEGF₁₆₅R/NP-1 or NP-2 expressing cells will be a potential target for treatment. Examples, but by no means listed as a limitation, of solid tumors which will be particularly
15 vulnerable to gene therapy applications are (a) neoplasms of the central nervous system such as, but again not necessarily limited to glioblastomas, astrocytomas, neuroblastomas, meningiomas, ependymomas; (b) cancers of hormone-dependent, tissues such as prostate, testicles, uterus, cervix, ovary, mammary carcinomas including but not limited to carcinoma in situ,
20 medullary carcinoma, tubular carcinoma, invasive (infiltrating) carcinomas and mucinous carcinomas; (c) melanomas, including but not limited to cutaneous and ocular melanomas; (d) cancers of the lung which at least include squamous cell carcinoma, spindle carcinoma, small cell carcinoma, adenocarcinoma and large cell carcinoma; and (e) cancers of the gastrointestinal
25 system such as esophageal, stomach, small intestine, colon, colorectal, rectal and anal region which at least include adenocarcinomas of the large bowel.

Expression vectors are defined herein as DNA sequences that are required for the transcription of cloned copies of genes and the translation of their mRNAs in an appropriate host. Such vectors can be used to express eukaryotic genes in a variety of
30 hosts such as bacteria, bluegreen algae, fungal cells, yeast cells, plant cells, insect cells and animal cells.

Specifically designed vectors allow the shuttling of DNA between hosts such as bacteria-yeast or bacteria-animal or bacteria- insect cells. An appropriately constructed expression vector should contain: an origin of replication for autonomous replication in host cells, selectable markers, a limited number of useful restriction enzyme sites, a potential for high copy number, and active promoters. A promoter is defined as a DNA sequence that directs RNA polymerase to bind to DNA and initiate RNA synthesis. A strong promoter is one which causes mRNAs to be initiated at high frequency.

Expression vectors may include, but are not limited to, cloning vectors, modified cloning vectors, specifically designed plasmids or viruses.

A variety of mammalian expression vectors may be used to express recombinant VEGF antagonists in mammalian cells. Commercially available mammalian expression vectors which may be suitable for recombinant expression, include but are not limited to, pcDNA3.1 (Invitrogen), pBlueBacHis2 (Invitrogen), pLITMUS28, pLITMUS29, pLITMUS38 and pLITMUS39 (New England BioLabs), pcDNA1, pcDNA1amp (Invitrogen), pcDNA3 (Invitrogen), pMC1neo (Stratagene), pXT1 (Stratagene), pSG5 (Stratagene), EBO-pSV2-neo (ATCC 37593) pBPV-1(8-2) (ATCC 37110), pDBPV-MMTneo(342-12) (ATCC 37224), pRSVgpt (ATCC 37199), pRSVneo (ATCC 37198), pSV2-dhfr (ATCC 37146), pUCTag (ATCC 37460), and ?LZD35 (ATCC 37565).

DNA encoding a VEGF antagonist of the invention may also be cloned into an expression vector for expression in a recombinant host cell. Recombinant host cells may be prokaryotic or eukaryotic, including but not limited to bacteria, yeast, mammalian cells including but not limited to cell lines of human, bovine, porcine, monkey and rodent origin, and insect cells including but not limited to drosophila, moth, mosquito and armyworm derived cell lines. The expression vector may be introduced into host cells via any one of a number of techniques including but not limited to transformation, transfection, Ad/polylysine DNA complexes, protoplast fusion, and electroporation. Cell lines derived from mammalian species which may be suitable and which are commercially available,

include but are not limited to, CV-1 (ATCC CCL 70), COS-1 (ATCC CRL 1650), COS-7 (ATCC CRL 1651), CHO-K1 (ATCC CCL 61), 3T3 (ATCC CCL 92), NIH/3T3 (ATCC CRL 1658), HeLa (ATCC CCL 2), C1271 (ATCC CRL 1616), BS-C-1 (ATCC CCL 26) and MRC-5 (ATCC CCL 171) and HEK 293 cells. Insect cell
5 lines which may be suitable and are commercially available include but are not limited to 3M-S (ATCC CRL 8851) moth (ATCC CCL 80) mosquito (ATCC CCL 194 and 195; ATCC CRL 1660 and 1591) and armyworm (Sf9, ATCC CRL 1711).

A DNA fragment encoding a VEGF antagonist polypeptide may be delivered
10 either systemically or to target cells in the proximity of a solid tumor of the mammalian host by viral or non-viral based methods. Viral vector systems which may be utilized in the present invention include, but are not limited to, (a) adenovirus vectors; (b) retrovirus vectors; (c) adeno-associated virus vectors; (d) herpes simplex virus vectors; (e) SV 40 vectors; (f) polyoma virus vectors; (g) papilloma virus
15 vectors; (h) picornavirus vectors; and (i) vaccinia virus vectors.

The recombinant virus or vector containing the DNA encoding the VEGF antagonist of the present invention is preferably administered to the host by direct injection into a solid tumor and/or quiescent tissue proximal to the solid tumor, such as adipose or muscle tissue. It will of course be useful to transfect tumor cells in the
20 region of targeted adipose and muscle tissue. Transient expression of the VEGF antagonist in these surrounding cells will result in a local extracellular increase in these peptides and will promote binding with VEGF receptors, thus inhibiting binding of VEGF to the receptors.

Non-viral vectors which are also suitable include DNA-lipid complexes, for
25 example liposome-mediated or ligand/poly-L-Lysine conjugates, such as asialoglycoprotein-mediated delivery systems (see, e.g., Felgner et al., 1994, J. Biol. Chem. 269: 2550-2561; Derossi et al., 1995, Restor. Neurol. Neuros. 8: 7-10; and Abcallah et al., 1995, Biol. Cell 85:1-7).

The invention also provides a pharmaceutical pack or kit comprising one or
30 more containers filled with one or more of the ingredients of the pharmaceutical compositions of the invention. Optionally associated with such container(s) can be a

notice in the form prescribed by a governmental agency regulating the manufacture, use or sale of pharmaceuticals or biological products, which notice reflects approval by the agency of manufacture, use or sale for human administration.

5 The references cited throughout this application are herein incorporated by reference.

 The present invention is further illustrated by the following Examples. These Examples are provided to aid in the understanding of the invention and are not construed as a limitation thereof.

EXAMPLE 1

EXPERIMENTAL PROCEDURES

Materials.

Human recombinant VEGF₁₆₅ and VEGF₁₂₁ produced in Sf-21 insect cells
5 infected with recombinant baculovirus encoding human VEGF₁₆₅ or VEGF₁₂₁ as
described previously (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996), Cohen, et
al., *Growth Factors*, 7, 131-138 (1992)). VEGF₁₆₅ was purified from the conditioned
medium of infected Sf-21 cells by heparin affinity chromatography, and VEGF₁₂₁ was
purified by anion exchange chromatography. Basic FGF was kindly provided by Dr.
10 Judith Abraham (Scios, Sunnyvale, CA). Cell culture media were purchased from
Life Technologies, Inc. ¹²⁵I-Sodium was purchased from NEN Life Science Products.
Disuccinimidyl suberate and IODO-BEADS were purchased from Pierce. G-
glutathione-agarose, NAP-5 columns, and pGEX-2TK plasmid were purchased from
Pharmacia Biotech Inc. TSK-heparin columns were purchased from TosoHaas
15 (Tokyo, Japan). Molecular weight marker was purchased from Amersham Corp. (IL).
Porcine intestinal mucosal-derived heparin was purchased from Sigma.

Cell Culture.

Human umbilical vein endothelial cells (HUVEC) were obtained from the
20 American Type Culture Collection (ATCC) (Rockville, MD) and grown on gelatin-
coated dishes in M-199 medium containing 20% fetal calf serum (FCS) and a mixture
of glutamine, penicillin, and streptomycin (GPS). Basic FGF (1 ng/ml) was added to
the culture medium every other day. Porcine endothelial cells (PAE), parental and
transfected to express KDR/Flk-1 (PAE-KDR), were kindly provided by Dr. Lema
25 Claesson-Welsh and grown in F12 medium containing 10% FCS and GPS as
described (Waltenberger, et al., *J. Biol. Chem.*, 269, 26988-26995 (1994)). MDA-
MB-231 (231) cells were obtained from ATCC and grown in Bulbecoo's modified
Eagle's medium containing 10% FCS and GPS.

Endothelial Cell Proliferation Assay.

- HUVEC were seeded in gelatin-coated 96-well dishes at 4,000 cells/200
UL/well in M-199 containing 5% FCS and GPS. After 24 H, VEGF isoforms and
5 VEGF exon 7-GST fusion proteins were added to the wells at the same time. The
cells were incubated for 72 h, and [3H]thymidine (1 μ C/ml) was added for 10-12 h.
The medium was aspirated, and the cells were trypsinized and harvested by an
automatic cell harvester (TOMTEC) and loaded onto Filtermats (Wallac). The
Filtermats were scanned and cpm were determined by a MicroBeta counter (Wallac).
10 The results represent the average of samples assayed in triplicate, and the standard
derivations were determined. All experiments were repeated at least three times and
similar results were obtained.

Radioiodination of VEGF.

- 15 The radioiodination of VEGF₁₆₅ and VEGF₁₂₁ was carried out using IODO-
BEADS according to the manufacturer's instructions. Briefly, one IODO-BEAD was
rinsed with 100 μ l of 0.1 M sodium phosphate, pH 7.2, dried, and incubated with ¹²⁵I-
sodium (0.2 mCi/ μ g protein) in 100 μ l of 0.1 M sodium phosphate, pH 7.2, for 5 min
at room temperature. VEGF (1-3 μ g) was added to the reaction mixture, and after 5
20 min the reaction was stopped by removing the bead. The solution containing ¹²⁵I-
VEGF was adjusted to 2 mg/ml gelatin and purified by size exclusion chromatography
using a NAP-5 column that was pre-equilibrated with PBS containing 2 mg/ml gelatin.
Aliquots of the iodinated proteins were frozen on dry ice and stored at -80 °C. The
specific activity ranged from 40,000 to 100,000 cpm/ng protein.

25

Binding and Cross-linking of ¹²⁵I-VEGF.

- Binding and cross-linking experiments using ¹²⁵I-VEGF₁₆₅ and ¹²⁵I-VEGF₁₂₁
were performed as described previously (Gitay-Goren, et al., *J. Biol. Chem.*, 287,
6003-6096 (1992), Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)). VEGF
30 binding was quantified by measuring the cell-associated radioactivity in a γ -counter
(Beckman, Gamma 5500). The counts represent the average of three wells. All

experiments were repeated at least three times, and similar results were obtained. ¹²⁵I-VEGF cross-linked complexes were resolved by 6% SDS-PAGE, and the gels were exposed to a phosphor screen and scanned after 24 h by a PhosphorImager (Molecular Dynamics). Subsequently, the gels were exposed to x-ray film.

5

Preparation of GST-VEGF Exon 7 and 8 Fusion Proteins.

Different segments of exons 7 and 8 of VEGF were amplified by the polymerase chain reaction from human VEGF cDNA using the following primers: exon 7 + 8 (Ex 7 + 8), CGGGATCCCCCCTGTGGGCCTTGCTC (SEQ ID NO:4) and GGAATTCTTACCGCTCGGCTTGTC (SEQ ID NO:5); exon 7 (Ex 7), CGGGATCCCCCCTGTGGGCCTTGCTC (SEQ ID NO:6) and GGAATTCTTAACATCTGCAAGTACGTT (SEQ ID NO:7) and exon 7 with residues 1-10 deleted (Ex 7d-(1-10)), CGGGATCCCATTGTTTGTACAAGAT (SEQ ID NO:8) and GGAATTCTTAACATCTGCAAGTACGTT (SEQ ID NO:9) exon 7 with residues 1-21 deleted (Ex 7d-(1-21)), CGGGATCCTGTTCTGCAAAAACACAG (SEQ ID NO:10) and GGAATTCTTAACATCTGCAAGTACGTT (SEQ ID NO:11) exon 7 with residues 1-22 deleted (Ex 7d-(1-22) deleted (Ex 7d-(1-22))), CGGGATCCTGCAAAAACACAG (SEQ ID NO:12) and GGAATTCTTAACATCTGCAAGTACGTT (SEQ ID NO:13), and GGAATTCTTAACATCTGCAAGTACGTT (SEQ ID NO:14), and exon 7 with residues 30-44 deleted (Ex 7d-(30-44)), CGGGATCCCCCCTGTGGGCCTTGCTC (SEQ ID NO:15) and GGAATTCTAGTCTGTGTTTTTGCA (SEQ ID NO:16).

25 The amplified products were digested with BamHI and EcoRI restriction enzymes and cloned into the vector pGEK-2TK (Pharmacia Biotech Inc.) encoding GST (Smith. et al., *Gene(Amst.)*, 87, 31-40 (1988)) to yield the plasmid p2TK-exon 7 + 8 and its derivatives. *Escherichia coli* (DH4a) were transformed with p2TK-exon 7 + 8 and derivatives to produce GST fusion proteins (see Fig. 5B for sequences).
30 Bacterial lysates were subsequently separated by a glutathione-agarose affinity chromatography (Smith. et al., *Gene(Amst.)*, 87, 31-40 (1988)). Samples eluted from

glutathione-agarose were analyzed by 15% SDS-PAGE and silver staining. GST fusion proteins were further on a TSK-heparin column as described.

RESULTS

5 Differential Receptor Binding and Mitogenic Activities of VEGF₁₆₅ and VEGF₁₂₁ for HUVEC.

VEGF₁₆₅ and VEGF₁₂₁ differ in their ability to interact with VEGF receptors expressed on HUVEC (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996), Gitay-Goren, et al., *J. Biol. Chem.*, 271, 5519-5523 (1996)). VEGF₁₂₁ binds to KDR/Flk-1
10 to form a 240-kDa labeled complex (Fig. 1, lane 2), whereas VEGF₁₆₅ in addition to forming this size complex, also forms a lower molecular mass complex of 165-175 kDa (Fig. 1, lane 1). This isoform-specific receptor has been named the VEGF₁₆₅ receptor (VEGF₁₆₅R). These differential receptor binding properties suggest that VEGF₁₆₅ and VEGF₁₂₁ might also have differential mitogenic activities. Accordingly, the ability of
15 the two VEGF isoforms to stimulate HUVEC proliferation was tested. VEGF₁₆₅ was a more potent mitogen for HUVEC than was VEGF₁₂₁ (Fig. 2). VEGF₁₆₅ stimulated half-maximal DNA synthesis at 1 ng/ml and maximal stimulation at 4 ng/ml resulting in an 8-fold increase over control. On the other hand, 2 ng/ml VEGF₁₂₁ were required for half-maximal stimulation and 20 ng/ml for maximal stimulation resulting in a 4-
20 fold increase in HUVEC proliferation over control. Thus, twice as much VEGF₁₂₁ compared with VEGF₁₆₅ was needed to attain half-maximal stimulation, and VEGF₁₂₁-induced proliferation was saturated at about one-half the level induced by VEGF₁₆₅. Taken together, these results suggest that there might be a correlation between the enhanced mitogenic activity of VEGF₁₆₅ for EC compared with VEGF₁₂₁ and the
25 ability of VEGF₁₆₅ to bind to an additional receptor (VEGF₁₆₅R) on HUVEC.

A Fusion Protein Containing the Exons 7- and 8-Encoded Domains Inhibits the Binding of ¹²⁵I-VEGF₁₆₅ to Receptors on HUVEC and 231 Cells.

30 Our previous studies indicated that the binding of VEGF₁₆₅ to VEGF₁₆₅R is mediated by the 44 amino acids encoded by exon 7 (VEGF amino acids 116-158) which is present in VEGF₁₆₅ but absent in VEGF₁₂₁ (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)). GST fusion proteins containing a peptide encoded by VEGF exon

7 or by VEGF exons 7 and 8 were prepared. The 6 amino acids encoded by exon 8 which is C-terminal to exon 7 were included to facilitate the preparation of the fusion protein but did not affect the results in any way (data not shown). The exon 7 fusion protein binds directly to VEGF₁₆₅R on 231 cells (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)). It also binds directly to VEGF₁₆₅R on HUVEC but not to KDR/FLK-1 on HUVEC (Fig. 1, lane 3). The ability of the GST-VEGF₁₆₅ exons 7- and 8-encoded peptide (GST-Ex 7 & 8) to compete with ¹²⁵I-VEGF₁₆₅ binding to HUVEC, which express both KDR Flk-1 and VEGF₁₆₅R, to PAE-KDR cells which express only KDR/Flk-1 (Waltenberger, et al., *J. Biol. Chem.*, 269, 26988-26995 (1994)), and to 231 cells which express only VEGF₁₆₅R (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)) was tested (Fig. 3). Increasing concentrations of GST-Ex 7 + 8 markedly inhibited the binding of ¹²⁵I-VEGF₁₆₅ to HUVEC by about 85-95% (Fig. 3A) and to 231 cells by 97-98% (Fig. 3B). However, the fusion protein did not inhibit the binding of ¹²⁵I-VEGF₁₆₅ to PAE-KDR cells which do not express any VEGF₁₆₅R (Fig. 3C). GST protein alone even at concentrations of 20 µg/ml had no significant effect on the binding of ¹²⁵I-VEGF₁₆₅ to any of the cell types. Taken together, these binding studies suggested that GST-EX 7 + 8 competes for ¹²⁵I-VEGF₁₆₅ binding by interacting directly with VEGF₁₆₅R but not with KDR.

These binding experiments were extended to analyze the effects of GST-Ed 7 + 8 on ¹²⁵I-VEGF binding to the individual VEGF receptor species by cross-linking (Fig. 4). Cross-linking of ¹²⁵I-VEGF₁₆₅ to 231 cells resulted in the formation of labeled complexes with VEGF₁₆₅R (Fig. 4, lane 3). The formation of these complexes was markedly inhibited in the presence of 15 µg/ml GST-Ex 7 + 8 (Fig. 4, lane 4). ¹²⁵I-VEGF₁₆₅ cross-linking to HUVEC resulted in the formation of labeled complexes of higher molecular mass with KDR/Flk-1 and lower molecular mass complexes with VEGF₁₆₅R (Fig. 4, lane 1). GST-Ex 7 + 8 markedly inhibited the formation of the VEGF₁₆₅-175-kDa labeled complexes containing VEGF₁₆₅R (Fig. 4, lane 2). On the other hand, the fusion protein did not inhibit cross-linking of ¹²⁵I-VEGF₁₆₅ to KDR/Flk-1 on the PAR/KDR cells (not shown). Taken together, since (i) VEGF₁₆₅ binds to KDR/Flk-1 via the amino acids encoded by exon 4 (40), (ii) VEGF₁₆₅ binds to VEGF₁₆₅R via the amino acids encoded by exon 7, and (iii) GST-Ex 7 + 8 binds to

VEGF₁₆₅R but not to KDR (Fig. 1 and Fig. 8), these results suggested that by interfacing directly with the binding of ¹²⁵I-VEGF₁₆₅ to VEGF₁₆₅R, GST-Ex 7 + 8 also inhibits indirectly the binding of ¹²⁵I-VEGF₁₆₅ to KDR/Flk-1.

5 Localization of the Core Inhibitory Region with the Exon 7-Encoded Domain.

The GST-Ex 7 fusion protein encompasses the entire 44 amino acid exon 7-encoded domain. To determine whether a core inhibitory region exists, deletions were made at the N and C termini of exon 7, and the effects on ¹²⁵I-VEGF₁₆₅ binding to HUVEC were measured (Fig. 5). In these experiments a fusion protein containing the
10 exon 7-encoded domain plus the cysteine residue at position of exon 8 was included to keep the number of cysteine residues in the VEGF portion of the fusion protein even. The GST-Ex 7 fusion protein inhibited ¹²⁵I-VEGF₁₆₅ binding to HUVEC by 80% at 2 ug/ml fusion protein (Fig. 5). Inhibition of ¹²⁵I-VEGF₁₆₅ binding to HUVEC and 231 cells was comparable to that of GST-Ex 7 + 8 (data not shown). Deletion of the first
15 10 (GST-Ex 7d-(1-10)) or 21 (GST-Ex 7d-(1-21)) N-terminal amino acids did not reduce the inhibitory activity of the fusion proteins. Actually, 1 ug/ml of GST-Ex 7d-(1-21) had a greater inhibition activity than the same concentration of GST-Ex 7 suggesting that there may be a region within exon 7 amino acids 1-21 that interferes with the inhibitory activity. On the other hand, deletion of the cysteine residue at
20 position 22 in exon 7 (GST-Ex 7d(1-22)) resulted in a complete loss of inhibitory activity. Deletion of the 15 C-terminal amino acids (GST-Ex 7 d-(30-44)) also resulted in a complete loss of inhibitory activity (Fig.5). These results indicated that the inhibitory core is found within amino acids 22-44 of exon 7. Moreover, it seems that the cysteine residue at position 22 in exon 7, which is Cys137 in VEGF, is crucial
25 for maintaining a specific structure required for the inhibition.

GST-Ex 7 + 8 Inhibits VEGF₁₆₅-induced Proliferation of HUVEC.

The inhibition of VEGF₁₆₅ binding to KDR/Flk-1 by the GST-Ex 7 + 8 fusion protein as shown in Fig. 4 suggested that it might also be an inhibitor of VEGF₁₆₅
30 mitogenicity since KDR/Flk-1 mediates VEGF mitogenic activity (Waltenberger, et al., *J. Biol. Chem.*, 269, 26988-26995 (1994)). Addition of 1-5 ng/ml VEGF₁₆₅ to

HUVEC resulted in a 5.5-fold increase in the proliferation rate, peaking at 2.5 ng/ml (Fig. 6). When 15 ug/ml GST-Ex 7 + 8 was added in addition to VEGF₁₆₅. HUVEC proliferation was reduced by about 60%. GST protein prepared in a similar way did not inhibit HUVEC proliferation even at 25 ug/ml indicating that the inhibitory effect was due solely to the presence of the exon 7 + 8-encoded domain within the fusion protein. It was concluded that exon 7 + 8 peptide-mediated inhibition of VEGF₁₆₅ binding to VEGF receptors on HUVEC correlates with the inhibition of HUVEC proliferation.

10 GST-Ex 7 + 8 Inhibits VEGF₁₂₁-induced Proliferation of HUVEC.

GST-Ex 7 + 8 inhibits the level of VEGF₁₆₅-induced mitogenicity, about 2-fold, to about the level of VEGF₁₂₁-induced mitogenicity (Fig. 7). GST-Ex 7 + 8, at 15 ug/ml, also inhibited VEGF₁₂₁-mediated HUVEC proliferation, by about 2-fold. This was an unexpected result considering that VEGF₁₂₁ does not contain exon 7. To understand better the nature of the VEGF₁₂₁ inhibition, the effect of GST-EX 7 + 8 on the binding of ¹²⁵I-VEGF₁₂₁ to VEGF receptors was analyzed by cross-linking studies. Cross-linking of ¹²⁵I-VEGF₁₂₁ to HUVEC resulted in the formation of 240-kDa labeled complexes (Fig. 8, lane 1), which have been shown to contain VEGF₁₂₁ and KDR/Flk-1 (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996), Gitay-Goren, et al., *J. Biol. Chem.*, 271, 5519-5523 (1996)). Formation of these complexes was significantly inhibited by GST-Ex 7 + 8 at 15 ug/ml (Fig. 8, lane 2). It was concluded that GST-Ex 7 + 8 inhibits VEGF₁₂₁-induced mitogenicity possibly by inhibiting its binding to KDR/Flk-1.

25 DISCUSSION

The most abundant of the VEGF isoforms are VEGF₁₆₅ and VEGF₁₂₁. An important question in terms of understanding VEGF biology is whether these isoforms differ in their biochemical and biological properties. To date, it has been demonstrated that VEGF₁₆₅ but not VEGF₁₂₁, binds to cell-surface HSPG (Houck, et al., *Mol. Endocrinol.*, 8, 1806-1814 (1991), Houck, et al., *J. Biol. Chem.*, 247, 28031-28037 (1992), Park, et al., *Mol. Biol. Cell*, 4, 1317-1326 (1993)) and that VEGF₁₆₅ is a

more potent EC mitogen than is VEGF₁₂₁ (Smith, et al., *Gene(Amst.)*, 87, 31-40 (1988)) (Fig. 2). In addition, we recently characterized a novel 130-kDa VEGF receptor found on the surface of HUVEC and tumor cells that is specific in that it binds VEGF₁₆₅ but not VEGF₁₂₁ (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)). VEGF₁₆₅ binds to this receptor, termed VEGF₁₆₅R, via the 44 amino acids encoded by exon 7, the exon which is present in VEGF₁₆₅ but not VEGF₁₂₁. In contrast KDR/Flk-1 and Flt-1 bind both VEGF₁₆₅ and VEGF₁₂₁ and do so via the VEGF exons 4 and 3, respectively (Keyt, et al., *J. Biol. Chem.*, 271, 5638-5646 (1996)). Our goal in the present study was to determine whether exon 7 modulated VEGF₁₆₅ activity, in particular mitogenicity for HUVEC, and by what mechanism. To do so, we developed a strategy of inhibiting the binding of VEGF₁₆₅ to VEGF₁₆₅R using a GST fusion protein containing the exon 7-encoded domain and examining any subsequent effects on HUVEC proliferation. Cross-linking experiments demonstrated, as expected, that the exon 7 fusion protein could bind to VEGF₁₆₅R but not to KDR/Flk-1. The exon 7 fusion protein was found to be a potent inhibitor of ¹²⁵I-VEGF₁₆₅ binding to 231 cells which express VEGF₁₆₅R alone, by 98% and to HUVEC which express both KDR/Flk-1 and VEGF₁₆₅R, by 85-95%. It did not, however, inhibit at all the binding of ¹²⁵I-VEGF₁₆₅ to PAE-KDR cells which express KDR/Flk-1 but not VEGF₁₆₅R. GST protein alone did not inhibit binding to any of the cell types demonstrating that the inhibition was due solely to the exon 7 portion of the fusion protein. Cross-linking analysis, which demonstrated the formation of specific ¹²⁵I-VEGF₁₆₅ receptor complexes, confirmed that GST-Ex 7 + 8 markedly inhibited the binding of ¹²⁵I-VEGF₁₆₅ to VEGF₁₆₅R on HUVEC and 231 cells. Taken together, these results indicate that the exon 7 fusion protein interacts directly with VEGF₁₆₅R and can act as a competitive inhibitor of binding of ¹²⁵I-VEGF₁₆₅ to this receptor.

The GST-Ex 7 + 8 fusion protein inhibited VEGF₁₆₅-induced proliferation of HUVEC by about 60%, to a level equivalent to that induced by VEGF₁₂₁ suggesting that activation of the KDR/Flk-1 tyrosine kinase receptor was somehow being adversely affected. Indeed, cross-linking analysis showed that the fusion protein not only inhibited cross-linking of ¹²⁵I-VEGF₁₆₅ to VEGF₁₆₅R but to KDR/Flk-1 as well. This result was unexpected since our cross-linking studies show that the exon 7 fusion

protein does not bind directly to KDR/Flk-1 consistent with the previous demonstration that VEGF₁₆₅ interacts with KDR/Flk-1 via its exon 4-encoded domain (Keyt, et al., *J. Biol. Chem.*, 271, 5519-5523 (1996)). Thus it appears that the binding of ¹²⁵I-VEGF₁₆₅ to VEGF₁₆₅R via the exon 7-encoded domain modulates indirect interaction of the growth factor with KDR/Flk-1. A possible mechanism for this inhibitory effect of GST-Ex 7 + 8 on HUVEC proliferation is that KDR/Flk-1 and VEGF₁₆₅R are co-localized in close proximity on the cell surface. In this model, a VEGF₁₆₅ dimer interacts simultaneously with KDR/Flk-1 via the exon 4 domain and with VEGF₁₆₅R via the exon 7 domain, generating a three-component complex. The GST-Ex 7 + 8 fusion protein by competing directly with the binding of VEGF₁₆₅ to VEGF₁₆₅R impairs indirectly the ability of VEGF₁₆₅ to bind to the signaling receptor, KDR/Flk-1. Thus, an efficient binding of VEGF₁₆₅ to KDR/Flk-1 might be dependent in part on successful interaction with VEGF₁₆₅R. An alternative possibility is that the exon 7-encoded domain contains a heparin-binding domain (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)) and that an excess of GST-Ex 7 + 8 prevents VEGF₁₆₅ from binding to cell-surface HSPGs that are required for efficient binding of VEGF₁₆₅ to its receptors (Gitay-Goren, et al., *J. Biol. Chem.*, 287, 6003-6096 (1992)).

Surprisingly, GST-Ex 7 + 8 also inhibited the mitogenic activity of VEGF₁₂₁ for HUVEC, by about 50%, even though VEGF₁₂₁ does not bind to VEGF₁₆₅R (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)). A possible explanation is that VEGF₁₆₅R and KDR/Flk-1 are in proximity on the cell surface and that excess GST-Ex 7 + 8 bound to VEGF₁₆₅R sterically inhibits access of VEGF₁₂₁ to KDR/Flk-1. Cross-linking analysis did indeed show diminished binding of ¹²⁵I-VEGF₁₂₁ to KDR/Flk-1 in the presence of GST-Ex 7 + 8 which does not bind directly to KDR/Flk-1, suggesting an indirect effect of the fusion protein on the binding of VEGF₁₂₁ to KDR/Flk-1.

GST-Ex 7 + 8 also inhibits VEGF₁₆₅ binding to 231 breast cancer cells, which express VEGF₁₆₅R and not KDR/Flk-1.

The coordinate binding of VEGF₁₆₅ to a higher and to a lower affinity receptor (KDR/Flk-1 and VEGF₁₆₅R, respectively) on HUVEC (Soker, et al., *J. Biol. Chem.*, 271, 5761-5767 (1996)) and the inhibitory effects of GST-Ex 7 + 8 fusion protein on

the binding of VEGF₁₆₅ to these two receptors suggest that there is a dual receptor system at work in mediating VEGF₁₆₅ activity. Several other growth factors have been shown to bind to high and low affinity receptors. Transforming growth factor- β generates a complex with three receptors; two of the, receptors I and II, are the signaling receptors, whereas transforming growth factor-B receptor III/betaglycan is a lower affinity accessory binding molecule (Lopez-Casillas, et al., *Cell*, 47, 785-796 (1991)). The low affinity receptor for the nerve factor family, p75, is part of a complex with the signaling TRK receptors (Barbacid, M., *Curr. Opin. Cell Biol.*, 7, 148-155 (1995)). A different type of dual receptor recognition is the binding of bFGF to cell-surface HSPGs and its signaling receptors (Yayon, et al., *Cell*, 64, 841-848 (1991), Klagsbrun, et al., *Cell*, 67, 229-231 (1991)). It has been suggested that binding of bFGF to its low affinity receptors (HSPGs) may induce conformational changes in bFGF so that the HSPG-bound bFGF could be efficiently presented to its high affinity, signaling receptors (Yayon, et al., *Cell*, 64, 841-848 (1991), Klagsbrun, et al., *Cell*, 67, 229-231 (1991)). Thus, the binding of VEGF₁₆₅ to both VEGF₁₆₅R and KDR/Flk-1 appears to be part of a general mechanism wherein two different types of receptors are used to modulate growth factor activity.

Receptor binding studies were used to identify an inhibitory core within the 44 amino acids encoded by exon 7. Deletions were made in both the N-terminal and C-terminal regions of exon 7, and the inhibitory activity was localized to the 23-amino acid C-terminal portion of exon 7 (amino acids 22-44). Of these 23 amino acids, 5 are cysteine residues. The high proportion of cysteine residues suggests that this domain has a defined three-dimensional structure required for efficient binding to VEGF₁₆₅R. The cysteine residue at position 22 of the exon 7 domain is critical for inhibitory activity, probably for maintenance of a necessary three-dimensional structure. A study that examined the role of cysteine residues at different positions in VEGF₁₆₅ showed that a substitution of Cys146, which lies within the core inhibitory domain of exon 7 (at position 31 in exon 7), by a serine residue resulted in a 60% reduction in VEGF₁₆₅ permeability activity and a total loss of EC mitogenicity (Claffey, et al., *Biochim. Biophys. Acta.*, 1246, 1-9 (1995)). The Cys146 mutation had no effect on the dimerization of VEGF (Claffey, et al., *Biochim. Biophys. Acta.*, 1246, 1-9 (1995)).

Thus, it appears that this cysteine residue is not involved in the formation of interdisulfide bounds between two VEGF monomers but might rather involve intradisulfide bonding within the monomer. These results support our hypothesis that a three-dimensional structure stabilized by cysteine residues exists in the C-terminal half of exon 7 that contributes to VEGF₁₆₅ biological activity, such as interaction with VEGF₁₆₅R. Interestingly, a fusion protein corresponding to a deletion of the N-terminal 21 amino acid residues encoded by exon 7 was a more potent inhibitor than the intact exon 7-encoded peptide. It may be that the N-terminal portion results in enhanced binding to VEGF₁₆₅R and yields a better competitor of VEGF₁₆₅.

10 The references cited throughout the specification are incorporated herein by reference.

15 The present invention has been described with reference to specific embodiments. However, this application is intended to cover those changes and substitutions which may be made by those skilled in the art without departing from the spirit and the scope of the appended claims.

<110> Shay SOKER
Michael KLAGSBRUN

<120> PEPTIDE ANTAGONISTS OF VASCULAR
ENDOTHELIAL GROWTH FACTOR

<150> 60/069,155
<151> 1997-12-09

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What is claimed:

1. An isolated polypeptide having a portion of SEQ ID NO:1 having VEGF antagonist activity.
2. An isolated polypeptide comprising SEQ ID NO: 2 or a portion thereof having VEGF antagonist activity.
3. An isolated polypeptide comprising a peptide having the structure of the following formula (I):
$$(X_1-(CSCKNTDSRCKARQLELNERT(SEQ ID NO:3))-X_2) \text{ I}$$
wherein X_1 is H, or any portion of amino acids 2-21 of SEQ ID NO: 1, and X_2 is H or C, CR, RC or CRC, and analogs thereof.
4. A pharmaceutical composition comprising a polypeptide of claims 1, 2 or 3 and a pharmaceutically acceptable carrier.
5. The pharmaceutical composition of claim 4, wherein the carrier is acceptable for topical application to the skin.
6. The pharmaceutical composition of claim 4, wherein the carrier is acceptable for application to the eye.
7. A method of treating a subject having disease or disorder associated with VEGF, which comprises administering to the subject a pharmaceutical composition of claim 4.

8. The method of claim 7, wherein said disease or disorder associated with VEGF is selected from the group consisting of metastasis, inappropriate angiogenesis, and chronic inflammation.

9. The method of claim 7, wherein said disease or disorder associated with VEGF is selected from the group consisting of Kaposi's sarcoma, osteoarthritis, diabetic retinopathy, and rheumatoid arthritis.

10. The method of claim 7, wherein the disease or disorder is a solid tumor.

11. A method for treating a tumor expressing a VEGF₁₆₅R/NP-1 receptor comprising administering to said host a pharmaceutical composition of claim 4.

12. An isolated nucleic acid encoding the polypeptide of claims 1-3.

13. Use of the isolated nucleic acid of claim 12 in the preparation of a medicament for treating a disease or disorder associated with VEGF.

14. Use of the polypeptide of claims 1-3 in the preparation of a medicament for treating a disease or disorder associated with VEGF.

ABSTRACT

The present invention provides isolated polypeptides having VEGF antagonist activity, pharmaceutical compositions and methods of treatment. The polypeptides of the invention include polypeptides comprising a portion of SEQ ID NO: 1 having VEGF antagonist activity, polypeptides comprising SEQ ID NO: 2 or a portion thereof having VEGF antagonist activity, and a polypeptide having the structure of formula (I), set forth above. The present invention further includes analogs and derivatives of these polypeptides having VEGF antagonist activity.

FIGURE 1

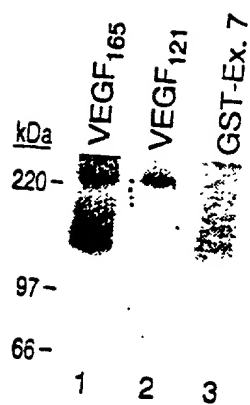


FIGURE 2

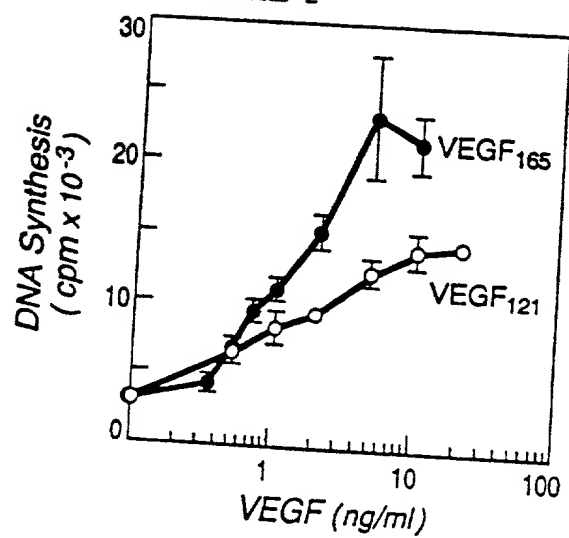


FIGURE 3

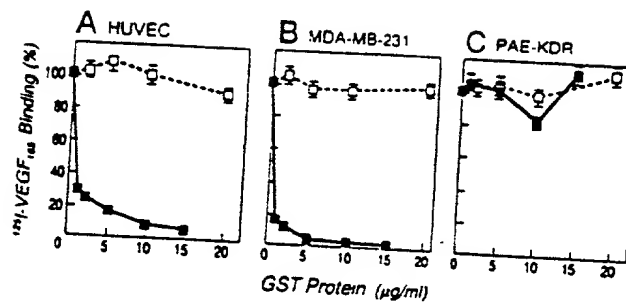


FIGURE 4

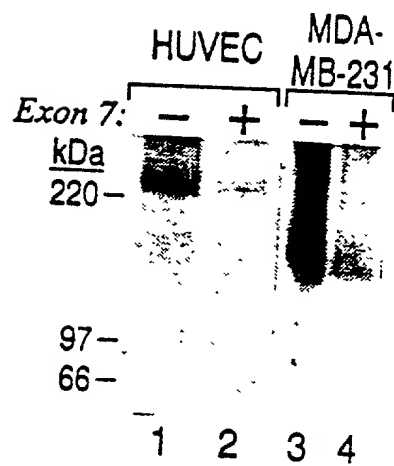


FIGURE 5

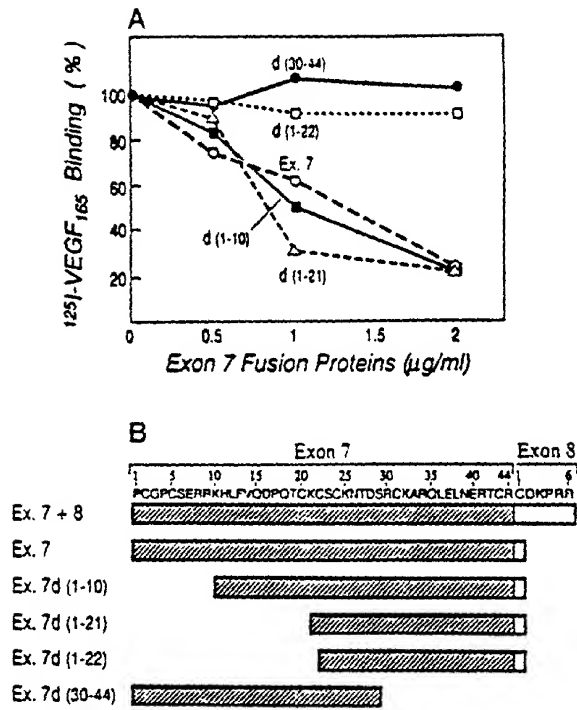


FIGURE 6

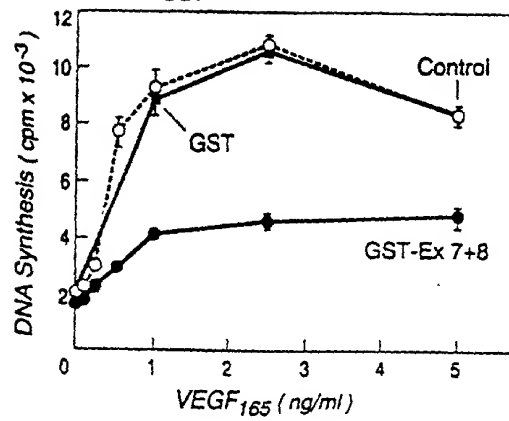


FIGURE 7

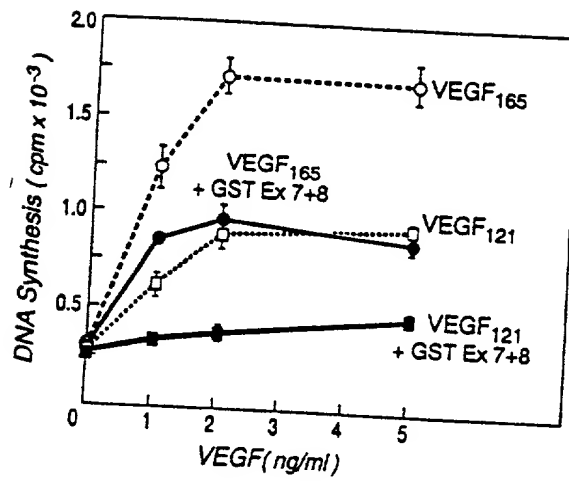
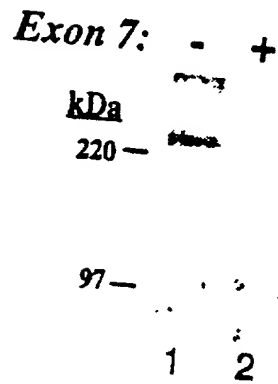
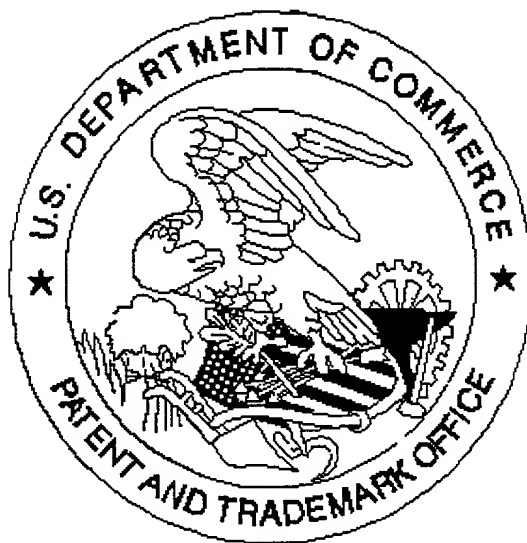


FIGURE 8



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for scanning. (Document title)

☐ Page(s) _____ of _____ were not present
for scanning. (Document title)

☐ Scanned copy is best available.

This case has only 4 sheets of drawings.